

REMARKS

Review and reconsideration on the merits are requested.

Claim Amendments

Applicants cancel claims 1-4 and 10-15, thereby mooted some of the rejections.

The Prior Art

U.S. 5,985,781 Knowlton; U.S. 5,928,704 Takeda et al (Takeda); U.S. 2002/0119238 A1

Pires; Experimental Cookery by Lowe; U.S. 5,958,503 Dumoulin et al (Dumoulin).

The Examiner has posed five separate rejections.

Applicants traverse based on two groups.

With respect to the rejection under 35 U.S.C. § 103(a) based on Pires and the rejection based on Dumoulin as evidenced by Lowe and in view of Takeda, Applicants include the limits of claim 1 (the “wherein” clause) into claims 16 and 21, which should avoid the rejection of claims 16-17 over Pires and claims 16-19 over Dumoulin as evidenced by Lowe in view of Takeda.

Withdrawal is requested.

Applicants next address the rejections under 35 U.S.C. § 103(a) and § 102(b) based on Knowlton and the rejection under 35 U.S.C. § 103(a) based on Knowlton in view of Takeda.

With the cancellation of the indicated claims, this would leave claims 5-9, 16, 18-21 and 25 rejected based on the references above discussed.

Applicants traverse as follows.

With respect to Declaration evidence, Applicants advise that they cannot submit Declaration evidence in response to any rejection including Knowlton since there is absolutely

no disclosure in Knowlton of the method for adding citric acid. Accordingly, it is impossible to submit experimental data based on Knowlton.

Since such data cannot be submitted, Applicants respectfully submit that this brings the Examiner's reliance on Knowlton into question regarding exactly what Knowlton does disclose with respect to process claims.

With specific reference to Knowlton, at col. 12, lines 18-24 of Knowlton, the following disclosure occurs regarding a deodorizing step:

"Citric acid was added to approximately 50 ppm, and the oil was deodorized at 240°C with steam (4 mL water per 100 g oil) in a glass deodorizer for approximately one hour."

Knowlton thus only discloses or mentions citric acid. In contrast, citric acid is added as a solution and by the steps described in claim 1 of the present application, which limitation is now presented in each of independent claims 5, 10, 16 and 21.

Applicants further respectfully submit that it is clear from an analysis of the absorbance of ascorbic acid (as shown in the DECLARATION...1.132 filed with Applicants' last response) that the amount of ascorbic acid is different between that resulting from a method for adding a solution of organic acid in accordance with the present invention (as claimed) and a method which comprises directly adding ascorbic acid by conventional means. Thus, one can conclude with certainty that the method of adding organic acid in accordance with the present application is superior to the known method of the prior art.

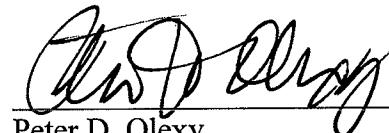
Applicants respectfully submit that since they have replicated what one of ordinary skill in the art would consider a conventional known method, they have also established unexpected superiority over Knowlton that discloses no method.

Withdrawal of the three rejections based in whole or in part on Knowlton is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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